

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JUNE 20, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: GPA-20227 - APPLICANT: REI NEON, LLC - OWNER: BLUE DAYDREAMS, LLC, ET AL**

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**\*\* CONDITIONS \*\***

The Planning Commission (5-0-1/rt vote) and staff recommend APPROVAL, subject to conditions:

1. The owner agrees to participate in any future SID if one is created adjacent to its property.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request to amend a portion of the Southeast Sector Plan of the General Plan from: C (Commercial) and LI/R (Light Industry/Research) to: MXU (Mixed-Use) on 73.5 acres generally located south of Charleston Boulevard, west of Main Street, north of Wyoming Avenue and east of the UPRR right-of-way. The proposed land use designation will allow the mixture of uses proposed by the applicant for the development site, and is consistent with the goals and objectives of the Downtown Centennial Plan. Consequently, staff recommends approval of the request.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
03/06/86	The City Council adopted by Ordinance #3218 the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area.
07/05/00	The City Council adopted by Ordinance #5238 the Downtown Centennial Plan.
05/17/06	The City Council adopted by #5830 the amended Redevelopment Plan for the Downtown Las Vegas Redevelopment Area.
01/03/07	The City Council adopted by Ordinance #5874 the amended Downtown Centennial Plan.
05/24/07	<p>The Planning Commission recommended approval of companion items ZON-21165, ZON-21166, SUP-21168, SUP-21169, SUP-21171, SUP-21172, VAC-21173 and SDR-21175 concurrently with this application.</p> <p>The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #16/ff).</p>
<b><i>Pre-Application Meeting</i></b>	
04/05/07	<p>A pre-application meeting was held with the applicant. The following items were discussed with the applicant:</p> <p>General Plan Amendment to MXU (Mixed Use)</p> <p>Rezoning from M (Industrial) and C-M (Commercial/Industrial) to C-2 (General Commercial)</p> <p>Downtown Centennial Plan Standards – utilities underground, streetscape standards, setbacks, service areas, parking structures, architectural standards such as reflective material, articulated roofline, no blank expressionless walls, detail main entry from street, no reflective glass (22% max).</p> <p>Parking study required</p> <p>Traffic study required</p>

<b><i>Neighborhood Meeting</i></b>	
4/24/07	<p>A neighborhood meeting was held on Tuesday, April 24, 2007 at 5:30 p.m. at Artistic Iron Works, 105 W. Charleston Boulevard. 38 members of the public attended the meeting.</p> <p>The following questions and concerns were raised by members of the public:</p> <p>Concern about traffic on Main Street, and whether or not Main Street would be widened.</p> <p>General questions were raised about other traffic mitigation measures that would be required because of the project.</p> <p>Concern about the height and appearance of the parking structures.</p> <p>Concern about how the project might change if the applicant isn't awarded the RFP for the arena.</p> <p>Concern about whether there would be any public art components associated with the project, and how the project will compliment the Arts District.</p> <p>Questions were raised about REI's financial issues, funding, and profits.</p> <p>Concern about whether the project will accommodate the gateway project planned for Charleston Boulevard.</p> <p>Concern about whether the arena would conflict with the Performing Arts Center.</p> <p>A resident expressed a desire that the businesses and buildings on the west side of Main Street be retained, and that the new development be limited to the west side of Commerce Street.</p> <p>Questions were raised about the construction timeframe for the project.</p> <p>A question was raised about whether there was a valid sales contract with every property owner.</p> <p>A question was asked as the whether the applicant would be "flipping" the property.</p> <p>The applicant was asked if they had the financing to complete the project.</p>

<b><i>Field Check</i></b>	
04/23/07	<p>The 73.5 acre area is an array of commercial and industrial uses such as offices, retail shops, auto body shops, used car sales, warehouses, motel, and a bus depot. The area is bordered by Charleston Boulevard to the north, Wyoming Avenue to the south, the Union Pacific Railroad to the west, and Main Street to the east.</p>

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	73.50

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Auto Body Shops, Bus Depot, Offices, Motel, Truck Storage, Retail Shops, Used Car Sales, Warehouses.	LI/R (Light Industrial), C (Commercial)	M (Industrial), C-M (Commercial/Industrial), C-2 (General Commercial)
North	Warehouses, Convenience Store	C (Commercial), LI/R (Light Industrial)	M (Industrial), C-M (Commercial/Industrial), C-2 (General Commercial)
South	Auto Body Shops, Shops, Open Storage, Parking Lot,	C (Commercial), LI/R (Light Industrial)	C-M (Commercial/Industrial), C-2 (General Commercial)
East	Auto Body Shops, Storage, Shops, Offices, Tavern, Restaurant	C (Commercial)	C-M (Commercial/Industrial), C-2 (General Commercial)
West	Shops, Offices, Warehouses, Service Station, Car Wash	C (Commercial), LI/R (Light Industrial), MXU (Mixed Use)	M (Industrial)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>			
Downtown Centennial Plan	X		N <sup>1</sup>
Redevelopment Plan Area	X		Y
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>			
Downtown Overlay District ( <i>Downtown South, Arts District</i> )	X		N
A-O (Airport Overlay) District (200 feet)	X		N <sup>2</sup>
<b>Trails<sup>3</sup></b>	X		Y
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>	X		Y
<b>Project of Regional Significance</b>	X		Y

1. A Waiver of Downtown Centennial Plan (Downtown South) Design Standards has been requested by the applicant.
2. A Special Use Permit (SUP-21175) has been requested for a proposed high rise mixed-use development in the Airport Overlay District.

3. Multi-Use Trail designated along railroad. In addition a pedestrian path is designated on Wyoming Avenue. Per Map 9 of the Downtown Centennial Plan, a Proposed Bus Rapid Transit Route is designated as proposed travel route on Main Street.

## DEVELOPMENT STANDARDS

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
C-2 (General Commercial)	N/A	N/A
C-M (Commercial/Industrial)	N/A	N/A
M (Industrial)	N/A	N/A
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
C-2 (General Commercial)	N/A	N/A
<i>Existing General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
C (Commercial)	N/A	N/A
LI/R (Light Industry/Research)	N/A	N/A
<i>Proposed General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
MXU (Mixed-Use)	N/A	N/A (Proposed: 20.4 units/acre)

## DEFINITIONS

**C (Commercial)** – The Commercial category allows for commercial uses that are normally allowed within the O (Office), SC (Service Commercial), and GC (General Commercial) Master Plan land use categories.

**LI/R (Light Industry/Research)** – The Light Industry/Research category allows areas appropriate for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distributions, and research, development and testing laboratories. Typical supporting and ancillary general uses are also allowed.

**MXU (Mixed-Use)** – The Mixed-Use category allows for a mix of uses that are normally allowed within the L (Low Density Residential), ML (Medium Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), and GC (General Commercial) Master Plan land use categories.

## ANALYSIS

The proposed General Plan Amendment is intended to allow for a mixture of commercial, entertainment and residential uses across the subject site. The development site currently contains LI/R (Light Industry/Research) and C (Commercial) land use designations; the Light Industry/Research designation is incompatible with most of the proposed uses.

The proposed development will include a total of 1,500 residential units in addition to an arena, trade-show facility, retail space, casinos, and hotel uses. The MXU (Mixed-Use) land use designation does not specify a residential density limit; as proposed, the development will result in a density of 20.4 residential units per acre. While this is significantly lower than the density of most mixed-use developments that have been approved in the downtown area, this project has a larger commercial component than most, and the combination of uses will add to the vitality of the area. The commercial uses are consistent with the MXU land use designation.

It should be noted that a portion of the development site is within the boundaries of the Arts District, and the proposed gaming and arena uses are inconsistent with the uses permitted in the district. In order to alleviate this conflict, the development parcel shall be removed from the Arts District, and a Text Amendment shall be processed to modify the boundaries of the Arts District as defined in Downtown Centennial Plan.

One concern relative to this proposal is the loss of a significant amount of light industrial property. As development pressures for commercial and mixed-use projects increase, the conversion of industrial property along the Union Pacific Railroad corridor will continue, forcing light industrial uses to locate elsewhere. Measures should be taken to guarantee an adequate supply of light industrial properties as the city continues to redevelop and grow.

## **FINDINGS**

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

### **In regard to “1”:**

The residential density and commercial intensity allowed under the MXU (Mixed-Use) land use designation is compatible with the adjacent land use designations.

**In regard to “2”:**

The zoning designations allowed under the MXU (Mixed-Use) land use designation are comparable to or less intense than the zoning on adjacent parcels.

**In regard to “3”:**

Utilities are generally adequate in the area; the Stupak Community Center and park are the nearest recreational facilities to the proposed development. The intensity of the project will require mitigation measures to address traffic capacity; these measures will be specified as part of the Traffic Impact Analysis approval required by the associated Site Development Plan (SDR-21175).

**In regard to “4”:**

The proposed amendment conforms to the goals and objectives of the Downtown Centennial Plan and will allow for a broad mixture of uses that will add vitality to the surrounding neighborhood.

**PLANNING COMMISSION ACTION**

There were 13 speakers in favor and 19 opposed.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 19

**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 10

**NOTICES MAILED** 1424 by Planning Department

**APPROVALS** 0

**PROTESTS** 0